

**NURSING HOME ADMINISTRATORS EXAMINING BOARD
MINUTES
MADISON, WISCONSIN
APRIL 29, 1999**

PRESENT: Shirley Keller, Omar Barberena, Karen Davis-Robinson, Nancy Harper, Patricia Schulz, Jerry Schallock, Tony Oberbrunner, Robert Mulder

EXCUSED: Rhoda Arzoomanian, Roland Hammer

STAFF PRESENT: Cletus Hansen, Becky Fry; Ruby Jefferson-Moore, June Suhling, Jack Temby, Ralph Draeger were present for portions of the meeting.

GUESTS: None

CALL TO ORDER

The meeting was called to order at 9:30 a.m. by Shirley Keller, Chair. A quorum of six members was present.

AGENDA

MOTION: Karen Robinson moved, seconded by Nancy Harper, to approve the agenda with the following changes: add 9B BQA Meeting, add item 5C Discussion of Policy Changes to parallel 6B, and delete item 15, Election of Officers. Motion carried unanimously.

MINUTES (2/18/98)

MOTION: Robert Mulder moved, seconded by Patricia Schulz, to approve the minutes with a correction on page 4; change "s. 56.08" to s.456.98. Motion carried unanimously.

ADMINISTRATIVE REPORT

Deputy Secretary June Suhling's Report

Deputy Secretary June Suhling, in Secretary Marlene Cummings' absence, informed the Board that Secretary Cummings was out of town on personal business. Deputy Secretary Suhling discussed statutory changes regarding requirement of a Nursing Home Administrator (NHA) having a Baccalaureate degree. Ruby Jefferson-Moore and Karen Robinson had put together additional provisions to give some definition to and clarify the qualifications of a NHA.

The Board received a copy of Minnesota course requirements of a NHA and pages from the National Association of Boards of Examiners of Long Term Care Administrators (NAB) study guide entitled How To Prepare for the Nursing Home Administrators Examination.

Bureau Director's Report

Clete Hansen reported that Rhoda Arzoomanian was needed at work but could be available by telephone conference if needed and Dr. Roland Hammer was not available due to his wife's illness.

- **Board Roster**

A new roster was provided in the packet. Noted.

- **Meeting Dates**

The Board received a copy of the Nursing Home Administrators Examining Board 1999 meeting dates. Noted.

- **To Pass Folder**

Information was circulated in the To Pass Folder and duly noted.

LEGISLATIVE UPDATE

LRB-0740/1 re: Requirements that Apply to a Person Taking the Examination for a Nursing Home Administrator License

The Board received a copy of Chapter NHA 2 REQUIREMENTS FOR EXAMINATION and discussed the requirements that apply to a person taking the examination for a nursing home administrator license.

The Board received a list of licensed nursing home administrators showing the type of education they had completed. Judy Mender reviewed the handout with the Board. It was found that the information was not accurate, but it did reflect what could be retrieved from the computer system. A new listing will be run and mailed out to Board members.

MOTION: Karen Robinson moved, seconded by Nancy Harper, that a survey be sent to the ninety-five people who had used the cassette tapes of U.W. Extension from 1997-1999, asking what their educational preparation was prior to taking the UW Madison Extension cassette-tape series and that Judy Mender contact the UWM Extension to see if they are able to provide any statistics concerning the prior education of students who completed their program. Motion carried unanimously.

The Board reviewed a report compiled by Amy Starobin on complaints received by the Nursing Home Administration Board from 1997 to 1999.

The Board established the need for a Rules Committee to identify what would be required as specialized education under the proposed statutory and rule changes. Karen Robinson, Nancy Harper, Jerry Schallock and Robert Mulder volunteered.

Biennial Budget Bill

Pages were included in the packet from the Biennial Budget Bill. Renewal fees would increase from \$102 to \$111 for nursing home administrators and the initial license for all credentials in the Department would increase from \$41 to \$47.

Discussion of Policy Changes

The Board discussed a memo prepared by Ruby Jefferson-Moore and Karen Robinson, dated April 2, 1999. In addition to the changes discussed in this memo, the Board identified additional revisions - changes needed are s. 456.08 reciprocity add, following “any other state” “or licensing jurisdiction” and in s. 456.04 change “baccalaureate” back to “bachelor” throughout, and change “doctorate” to “doctoral.”

There was discussion on the revision of subsection s. 456.08(4). Ruby Jefferson-Moore will revise that language by removing the citations to ss. 456.03 and 456.04 and changing a few other words.

Mr. Hansen will have Myra Shelton request new drafting of the bill.

MOTION: Jerry Schallock moved, seconded by Omar Barberena, to approve the additional revisions. Motion carried unanimously.

ADMINISTRATIVE RULES UPDATE

Discussion of Policy Changes

The Board received a copy of Chapter NHA 4 LICENSURE from Ruby Jefferson-Moore. The board discussed the issue regarding experience and a revision to reflect that a person who has completed the regular course of study does not have to show one year of experience.

MOTION: Karen Robinson moved, seconded by Robert Mulder to amend rules, so that proof of one year experience shall not apply to a regular course of study. Motion carried unanimously.

Scope Statement for Amendments regarding Qualifications for Licensure

The Board received a copy of the Statement of Scope for Proposed Rule which gives notice that amended administrative rules are being proposed relating to granting reciprocal licenses to persons who hold a license as a nursing home administrator in another jurisdiction.

MOTION: Karen Robinson moved, seconded by Pat Schulz to amend the scope statement to add the provision in the above motion and send it out. Motion carried unanimously.

UPDATE REGARDING HEALTH CARE FRAUD AND ABUSE DATA COLLECTION

Nothing to report.

EXAMINATION ISSUES

Noting to report.

BOARD MEMBER ACTIVITY

Annual Meeting of NAB

The annual meeting of NAB will be held June 23-25, 1999, in Baltimore, Maryland. Shirley Keller's term will be ending and she would prefer not to attend. She asked for an administrator to volunteer to attend the meeting.

MOTION: Karen Robinson moved, seconded by Nancy Harper, for administrators to check their calendars and whomever is able to attend is authorized to be the representative. Motion carried unanimously.

BQA Meeting

Shirley Keller attended the Advocate Industry BQA Meeting on April 13, 1999. The Board received a copy of the Summary of Office of the Inspector General's Report to Congress dated March 1999. Ms. Keller reported to the Board changes that are going on as far as the survey process and the complaint process. She also reported that the Health Care Financing Administration is looking at establishing federal guidelines for nursing homes.

STATUTORY CHANGES - CHAPTER 456 AND CHAPTER 50

The Board received copies of Chapter 456 and Chapter 50. The Board discussed statutory changes relating to s. 456.10 suspension and revocation; s. 456.11 restoration of licenses and registrations; s. 50.01 definitions, staffing guidelines and requirements, and substantial changes in forfeitures.

PROVISIONAL LICENSES

The Board discussed provisional licenses. Clete Hansen will provide the Minnesota statutes in the packet for the next meeting.

REGULATORY DIGEST

The Board received a rough draft of the next issue of the Regulatory Digest. Corrections indicated were no "T" in Patricia Schulz and remove "Davis" from Karen Robinson's name.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

The Board received a copy of a newspaper article "Getting a Feel for Legislative Procedure" for information. Noted.

NEW BUSINESS

None

RECESS TO CLOSED SESSION

MOTION: Karen Robinson moved, seconded by Pat Schulz, to convene the meeting in Closed Session pursuant to sections 19.85(1)(a), (b), and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by this Board or the investigation of charges against such a person. Specifically, to discuss monitoring reports, case status reports, case closings, stipulations, deliberations on stipulations that may be signed after printing of the agenda, deliberations on proposed disciplinary matters that may be signed after printing of the agenda, pending applications, examination issues, and disciplinary proceedings. Motion carried by a roll call vote: Patricia Schulz-yes; Karen Robinson-yes; Jerry Schallock-yes; Omar Barberena-yes; Tony Oberbrunner-yes; Robert Mulder-yes; Shirley Keller-yes. Nancy Harper left meeting before closed session. Motion carried unanimously.

Open Session recessed at 12:10 p.m.

The Board received a copy of the Case Status Report.

The Board deliberated issues related to case closings, stipulations, and disciplinary matters.

RECONVENE IN OPEN SESSION

MOTION: Pat Schulz moved, seconded by Karen Robinson, to reconvene in Open Session at 12:40 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Robert Mulder moved, seconded by Karen Robinson, to close 97 NHA 023, Stephen Seybold, for compliance gained. Motion carried unanimously.

MOTION: Pat Schulz moved, seconded by Karen Robinson, to close 97 NHA 019, Margaret Cunningham, for insufficient evidence to determine violation. Motion carried unanimously.

STIPULATION

MOTION: Robert Mulder moved, seconded by Karen Robinson, to accept the surrender of Joanne Wall's license. Ms. Wall shall not apply for reinstatement of the license. Motion carried with Robert Mulder abstaining.

DISCIPLINARY MATTERS

MOTION: Pat Schulz moved, seconded by Robert Mulder, to adopt the proposed decision and order of the Administrative Law Judge for examination for Linda C. Londo as a reciprocity candidate. Motion carried with Shirley Keller not present for discussion and abstaining.

ADJOURNMENT

MOTION: Karen Robinson moved, seconded by Omar Barberena, to adjourn the meeting at 12:44 p.m. Motion carried unanimously.